

§ 241.76 Can MMS reduce my penalty once it is assessed?

Under 30 U.S.C. 1719(g), the Director or his or her delegate may compromise or reduce civil penalties assessed under this part.

§ 241.77 How may MMS collect the penalty?

(a) MMS may use all available means to collect the penalty including, but not limited to:

(1) Requiring the lease surety, for amounts owed by lessees, to pay the penalty;

(2) Deducting the amount of the penalty from any sums the United States owes to you; and

(3) Using judicial process to compel your payment under 30 U.S.C. 1719(k).

(b) If the Department uses judicial process, or if you seek judicial review under § 241.74 and the court upholds assessment of a penalty, the court shall have jurisdiction to award the amount assessed plus interest assessed from the date of the expiration of the 90-day period referred to in § 241.74. The amount of any penalty, as finally determined, may be deducted from any sum owing to you by the United States.

CRIMINAL PENALTIES**§ 241.80 May the United States criminally prosecute me for violations under Federal and Indian oil and gas leases?**

If you commit an act for which a civil penalty is provided at 30 U.S.C. 1719(d) and § 241.60(b), the United States may pursue criminal penalties as provided at 30 U.S.C. 1720, in addition to any authority for prosecution under other statutes.

Subpart C—Federal and Indian Oil [Reserved]**Subpart D—Federal and Indian Gas [Reserved]****Subpart E—Solid Minerals, General [Reserved]****Subpart F—Coal [Reserved]****Subpart G—Other Solid Minerals [Reserved]****Subpart H—Geothermal [Reserved]****Subpart I—OCS Sulfur [Reserved]****PART 242—ORDERS [RESERVED]****PART 243—SUSPENSIONS PENDING APPEAL AND BONDING—MINERALS REVENUE MANAGEMENT****Subpart A—General Provisions****Sec.**

243.1 What is the purpose of this part?

243.2 What leases are subject to this part?

243.3 What definitions apply to this part?

243.4 How do I suspend compliance with an order?

243.5 May another person post a bond or other surety instrument or demonstrate financial solvency on my behalf?

243.6 When must I or another person meet the bonding or financial solvency requirements under this part?

243.7 What must a person do when posting a bond or other surety instrument or demonstrating financial solvency on behalf of an appellant?

243.8 When will MMS suspend my obligation to comply with an order?

243.9 Will MMS continue to suspend my obligation to comply with an order if I seek judicial review in a Federal court?

243.10 When will MMS collect against a bond or other surety instrument or a person demonstrating financial solvency?

243.11 May I appeal the MMS bond-approving officer's determination of my surety amount or financial solvency?

243.12 May I substitute a demonstration of financial solvency for a bond posted before the effective date of this rule?

Subpart B—Bonding Requirements

243.100 What standards must my MMS-specified surety instrument meet?

243.101 How will MMS determine the amount of my bond or other surety instrument?

Subpart C—Financial Solvency Requirements

243.200 How do I demonstrate financial solvency?

243.201 How will MMS determine if I am financially solvent?

243.202 When will MMS monitor my financial solvency?